

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHELE VALVO,

1:19-cv-08341 (JPO)

Plaintiff,

- against -

**NOTICE OF MOTION TO  
DISMISS THE AMENDED  
COMPLAINT**

THE DEPARTMENT OF EDUCATION OF THE  
CITY OF NEW YORK, and THE UNITED  
FEDERATION OF TEACHERS,

Defendants.

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**PLEASE TAKE NOTICE** that, upon the annexed Declaration of Michael J. Del Piano, dated April 30, 2020, and the exhibits attached thereto; and upon the Memorandum of Law in Support of the Motion to Dismiss the Amended Complaint filed by Defendant United Federation of Teachers (“UFT”), the UFT will move this Court before the Honorable J. Paul Oetken, United States District Court Judge, United States District Court for the Southern District of New York, at the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, for an order pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure dismissing the Amended Complaint for lack of subject matter jurisdiction, failure to state a claim upon which relief can be granted, and for such other and further relief deemed just and proper.

**PLEASE TAKE FURTHER NOTICE** that, in accordance with Local Civil Rule 6.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, any opposing affidavits and answering memoranda shall be served within 14 days after service of these motion papers.

Dated: New York, New York  
April 30, 2020

ROBERT T. REILLY

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